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16 **IN THE UNITED STATES DISTRICT COURT**

17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

18 **SAN FRANCISCO DIVISION**

19 ANIMAL LEGAL DEFENSE FUND,)
20 Plaintiff,) Case No. 12-cv-4376-EDL
21 v.)
22 FOOD AND DRUG ADMINISTRATION,)
23 Defendant.)
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) **STIPULATION AND [PROPOSED]
ORDER ON REVISED SUMMARY
JUDGMENT SCHEDULE**

) Place: Courtroom E, 15th Floor
Judge: Hon. Elizabeth D. Laporte

1 Plaintiff Animal Legal Defense Fund (“ALDF”) and Federal Defendant the Food and Drug
2 Administration (“FDA”) hereby stipulate as follows and request that the Court order the same.

3 WHEREAS the Court suspended the summary judgment briefing schedule to hear
4 Plaintiff’s Rule 56(d) motion. Dkt No. 35.

5 WHEREAS the Court recently issued a ruling on that motion and set new dates for the
6 remainder of the summary judgment briefing as follows: FDA’s combined Opposition/Reply due
7 May 28; ALDF’s Reply due June 11; hearing July 16. Dkt No. 43.

8 WHEREAS the parties hereby stipulate and request the Court to order a slightly revised
9 schedule as follows: FDA’s combined Opposition/Reply due June 13; ALDF’s Reply due June 27;
10 hearing July 30.

11 **SO STIPULATED.**

12 Respectfully submitted,

14 Dated: May 10, 2013

/s/ Christopher Berry
ANIMAL LEGAL DEFENSE FUND
Attorney for Plaintiff

MELINDA HAAG
United States Attorney

18 Dated: May 10, 2013

/s/ Victoria R. Carradero
Assistant U.S. Attorney
Attorneys for Federal Defendant

20 **DECLARATION PURSUANT TO GENERAL ORDER 45**

21 I, Victoria R. Carradero, attest that I have obtained the concurrence of Christopher Berry,
22 Counsel for Plaintiff, in the filing of this document.

23 Executed on May 10, 2013, in San Francisco, California.

/s/ Victoria R. Carradero
Victoria R. Carradero

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2 The briefing/hearing schedule is adjusted as follows: FDA's combined Opposition/Reply is
3 due June 13, 2013; ALDF's Reply is due June 27, 2013; the hearing is July 30, 2013 at 9:00 a.m.

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5 DATE: May 13, 2013
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The Honorable Elizabeth D. Laporte
Chief Magistrate Judge